

ZONE TEXT CHANGE APPLICATION:

ZT-2-2008

West Valley City

Adding a definition for senior housing and adding senior housing to the list of conditional uses in the RB Zone.

City staff is recommending adding a definition for senior housing and adding senior housing to the list of conditional uses in the RB Zone. Recently the Zoning Administrator prepared an administrative determination that made senior housing a permitted use in the RB Zone. The reasons for this determination are outlined below:

- The RB Zone purpose states: “this Zone is to provide for various office, residential, and related uses which do not deal in merchandising, retailing, warehousing or manufacturing and should project business hours which are in harmony with contiguous zones. Uses should serve as a transition between residential zones and other more intensive zones.” Senior housing is compatible with the stated purpose.
- The RB Zone lists the following uses as either permitted or conditional uses: nursing homes, single-family dwellings, residential facilities for elderly persons, hospitals, and condos/planned unit developments. After reviewing the definitions of these uses and considering their associated impacts, senior housing was found to be similar to the uses listed above with equal or lesser impacts.
- Senior housing generates significantly less traffic per dwelling unit than other residential development. The following table compares senior housing with other types of residential.

Housing Type	Weekday Trip Generation	Saturday Trip Generation	Unit of Measure
Apartment	6.72	6.39	Dwelling Unit
Condo/Townhome	5.86	5.67	Dwelling Unit
Mobile Home Park	4.99	5.00	Dwelling Unit
Senior Adult Housing - Attached	3.48	2.51	Dwelling Unit
Single Family Detached Housing	9.57	10.10	Dwelling Unit

Source: ITE Trip Generation, 7th Edition, 2004

- The standard parking requirement for residential uses is 2 spaces per dwelling unit. However, with senior housing developments in the City the parking demand has been found to be significantly less than 2 spaces per unit. Hence, senior housing developments can have less parking than other attached housing developments resulting in more landscaping and building area.

In light of public concerns over a recent senior housing development on the corner of 3100 South and 3600 West, the City Council requested that staff amend the ordinance so that the public would have an opportunity to provide input on similar projects in the future. Attached to this report is the proposed ordinance amendment. This amendment, if approved, will require proposed senior housing developments in the RB Zone to obtain a conditional use permit from the Planning Commission where a public hearing would be held.

The limit on density for senior housing in the RB Zone was included to help limit the massing of a building and to reduce impacts on neighboring properties.

During the study session, a question was raised about how the City would enforce the age restriction. Staff will discuss this question with our legal department and have a response for the public hearing.

Staff Alternatives:

1. Approval, this ordinance change would require Planning Commission review and public input on senior housing in the RB Zone.
2. Continuance, for reasons determined at the public hearing.

Applicant:

West Valley City

Discussion: Steve Pastorik presented the application. Commissioner Conder stated that this amendment stems from a previous application that caused problems for the City when a senior housing facility was changed in the late stages of the project to accommodate previously homeless individuals. Commissioner Conder asked how this change to the ordinance would prevent a similar situation from occurring? Mr. Pastorik explained that if that particular problem were to arise again, it wouldn't alleviate the issue with the exception that it would not have had to go back to the Planning Commission. Commissioner Conder asked if there was any way to eliminate that kind of issue by making a different amendment to the ordinance? Steve Pastorik stated that the City cannot discriminate based on income, race, or the fact that someone used to be homeless. Commissioner Conder asked if it would be beneficial to talk about subsidized housing? Nicole Cottle, assistant City attorney, said that something like that cannot legally be regulated. Senior housing is determined by age with no regard to income status. Commissioner Conder stated that part of the issue was the public hearing process. Nicole Cottle agreed and said that this should be looked at from a land use perspective and not the social status of the residents living in the senior housing facilities.

Harold Woodruff stated that there are many reasons to deny the amendment to the ordinance and asked what the benefit would be to allow this change? Commissioner Conder said that this change would allow the residents the ability to address the use being submitted. Commissioner Fuller asked if this type of use is allowed in other zones? Steve Pastorik responded that it is and that this change would simply make it applicable to the 'RB' zone as well.

Commissioner Conder asked why the Planning Commissioners liked the amendment and questioned how it will be beneficial? Commissioner Davis said that the language is confusing and the sentences are fractured but in the end it does what it sets out to do. It doesn't modify or change anything but it does more fully explain the original text.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Davis moved for approval.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous – ZT-2-2008 – Approved